

Morning
cc: Dana
Susan *MO350002*
Beth
Tom
Boyd W. Dansie
7041 West 13090 South
Herriman, Utah 84096
(801)254-0428
April 13, 2008

Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

To Mary Ann Wright, Associate Director of Mining:

I am writing for some help to control the future mineral exploration and mining in the Butterfield Canyon drainage area.

Kennecott Utah Copper Corporation "Crown Jewel of Reno Tinto Mining", owns mineral rights in the Butterfield Canyon drainage area. They have asked Kennecott Exploration Company to conduct mineral exploration in the drainage area for future mining. In the past, Combined Metals Reduction Company purchased by Kennecott and others have mined the area underground and on the surface. This mining activity has created large mining dumps that have toxic waste material, including lead and arsenic left behind in the dumps. Through storms and normal winter activities, this waste material has entered the Butterfield Creek, left the canyon and has been deposited on the farm land and around homes in the drainage area.

These incidents have happened over the last fifty years. During the last ten years, the people using the Butterfield Creek water have become aware of the toxic nature of the mine waste dumps. During the last ten years, the mining company has cleaned up the canyon of waste dumps from underground mining and waste dump material that came from the surface mining waste dumps that moved down the canyon during the many storms, but they have not cleaned up mining waste from the lower drainage areas or the flat lands.

I own part interest in my grandfather's farm with other family members. During my lifetime, there have been numerous storm events that have brought large amounts of mine waste materials down the canyon in the Butterfield Creek. This material has settled out on the farm ground and around my house as the water went into the ground leaving yellow mine waste material that contains different level amounts of lead and arsenic with each storm

I am writing to ask your help in controlling the new mineral exploration and possible future mining activity in the Butterfield Canyon drainage area.

As I become aware of the health problems associated with mine waste material such as lead and arsenic, I have changed farming practices and tried to keep irrigation water away from my home during storm events. As I mentioned, this depositing of mine waste has continued even after the canyon was cleaned up, and mine waste material from Kennecott surface mining removed from roads and hauled away.

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DIV. OF OIL, GAS & MINING

The most recent depositing of mine waste happened in 2007. The amounts of materials in the water have been less since the canyon was cleaned up and waste ditches were constructed to stop this activity, but mine waste materials still continue to come down Butterfield Creek to lower lands during storms.

Our family has talked with many Kennecott representatives about purchasing land in the Butterfield Canyon drainage area, making land trades, or cleaning up mine waste material from farm and yard areas. The Kennecott representatives have come and gone. New representatives have been assigned, small pond areas have been cleaned on the farm by Kennecott, but we have not been able to convince Kennecott to enlarge their buffer zone around the Butterfield Canyon drainage area to prevent potential health problems.

I am very concerned about the future mineral exploration to be conducted by Kennecott Exploration Company and the future mining activity in this area. Without a larger buffer zone, it could create a large health problem for our family.

Could you please advise me about what could be done to help prevent this from becoming a larger health problem in the future? Kennecott's new management has talked about becoming very transparent about their mining activities. It would be interesting to learn about the future mineral exploration and possible remediation efforts that might help prevent continual mine waste from coming down the Butterfield Creek and settling on our farm property and around my home. Kennecott Exploration Company has said that they will comply with all federal, state and local laws and ordinances. What laws and ordinances would protect our farm and yard area? As a state government agency over mining, you may have some ideas that may help with existing and future health issues.

Thank you for your help,
Boyd W. Dansie

Boyd W. Dansie

HERRIMAN IRRIGATION CO.

By: _____

Its: _____

Date: _____

6146 W 13100 S
Herriman, Utah 84096

Tel: 801-254-4841

KENNECOTT EXPLORATION COMPANY

By: _____

Its: _____

Date: _____

224 North 2200 West
Salt Lake City, UT 84116

Tel: 801-363-5870

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, William J. Korth, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original FINAL DECREE OF CONDEMNATION, filed in the case of: P. P. ABERCROMBIE, as Receiver of the property, right and franchises of Salt Lake and Utah Railroad Company, a corporation, Plaintiff, -vs- JOHN C. CUELLER ASSOCIATION, A corporation, JOHN DOE and RICHARD DOE, Defendants. CASE NO. 44077 as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this 24th day of April, A. D. 1935

SEAL DISTRICT COURT OF THE
THIRD JUDICIAL DISTRICT
SALT LAKE COUNTY
STATE OF UTAH

WILLIAM J. KORTH Clerk
By Alvin Keddington Deputy Clerk

Recorded at the request of Moyle & Moyle, April 26, 1935 at 10:35 AM., in Book #142 of Deeds, Pages 335-336. Recording fee paid \$2.80. (Signed) Jessie Evans, Recorder, Salt Lake County, Utah, by W. H. Howard, Deputy. (Reference: C-37-243-29 and 30.)

#759522 WARRANTY DEED

THOMAS S. BUTTERFIELD and MARTHA BUTTERFIELD, his wife, of Herriman, Utah, Grantors, hereby convey and warrant to COMBINED METALS REDUCTION COMPANY, a corporation under the laws of Utah, Grantee, for the sum of \$10.00 and other valuable consideration, the following described tracts of land in Salt Lake County, Utah, to-wit:

The West half of the Northwest quarter of Section 14, the North half of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Southwest quarter of the Southeast quarter, the Southeast quarter of the Southwest quarter or Lot 3, and the Northeast quarter of the Southeast quarter of Section 15, all in Township 4 South, Range 3 West, Salt Lake Meridian.

Surface rights for grazing purposes, including timber rights, are reserved to Grantors and all mineral rights are hereby conveyed to Grantee, provided that Grantee shall have and is hereby given the right and option to take and use so much of the surface at any time upon payment therefor to Grantors, their heirs, administrators or assigns, of the reasonable value of such surface lands for grazing purposes, not to exceed the sum of \$12.50 per acre for the land so taken.

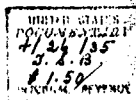
It is the intention of this deed that Grantors convey to Grantee all mineral rights appertaining to any and all lands owned by Grantors situate in Sections 14 and 15, Township 4 South, Range 3 West, Salt Lake Meridian.

This deed is executed and delivered pursuant to and in execution of that certain agreement of option dated August 26, 1931 between the parties hereto.

WITNESS the hands of said Grantors this 26th day of April, A. D. 1935.

Thos S Butterfield
Martha E Butterfield

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)



On the 28th day of April, A. D. 1935, personally appeared before me Thomas S. Butterfield and Martha Butterfield, his wife, the signers of the foregoing instrument and duly acknowledged to me that they executed the same.

Com expires 9/9/35-

SEAL H. VAN DAM, JR.
NOTARY PUBLIC
COMMISSION EXPIRES
OCT. 10, 1935.
SALT LAKE CITY-STATE OF UTAH.

H Van Dam Jr
Notary Public
Salt Lake City, Utah.

Recorded at the request of Thomas Homer, April 26, 1935 at 4:58 PM., in Book #142 of Deeds, Page 336. Recording fee paid \$1.20. (Signed) Jessie Evans, Recorder, Salt Lake County, Utah, by W. H. Howard, Deputy. (Reference: D-25-286-9.).

#759565 WARRANTY DEED

LEO A. BIRD and JENNIE L. BIRD, his wife grantors of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEY AND WARRANT to RELIANCE BUILDING COMPANY, a Utah Corporation grantee, of Salt Lake City and County, State of Utah for the sum of Ten Dollars and other good, valuable and sufficient consideration the following described tract of land in Salt Lake County, State of Utah:

All of Lots 74 and 75, Block 13, Douglas Park Addition.

Witness, the hands of said grantors, this 6th day of March A. D. 1935.

Signed in the presence of
Graham H. Doxey

Leo A Bird
Jennie L. Bird

STATE OF UTAH,)
County of Salt Lake) ss.

On the 6th day of March, A. D. 1935 personally appeared before me Leo A. Bird and Jennie L. Bird, his wife the signers of the within instrument, who duly acknowledged to me that they executed the same.

SEAL GRAHAM H. DOXEY,
NOTARY PUBLIC
COMMISSION EXPIRES
MAR. 26, 1937.
SALT LAKE CITY-STATE OF UTAH.

Graham H. Doxey
Notary Public
Residing at Salt Lake City.

Recorded at the request of L. B. CARDON, April 29, 1935, at 11:34 A. M. in Book #142 of Deeds, Page 336. Re-

#86 of Deeds.

Recorded at request of Ingebreton Ray-Rowlins July 27, 1931 at 2:32 P.M. in Bk. #86 of Deeds. Pgs. 375-376.
Recording fee paid, \$1.30. (Signed) Jessie Evans, Recorder, Salt Lake County, Utah by W H Howard, Deputy. (Reference: D-26-248-13)

#860-37

WARRANTY DEED.

THOMAS S. BUTTERFIELD AND MARTHA BUTTERFIELD, his wife, of Herriman, Utah, Grantors, hereby convey and warrant to COMBINED METALS REDUCTION COMPANY, a corporation under the laws of Utah, Grantee, for the sum of Ten (\$10.00) dollars and other valuable consideration, the following described tracts of land in Salt Lake County, Utah, to-wit:

Lots One (1), Two (2) and Three (3), the Southwest quarter of the North-east quarter, the South half of the North-west quarter, the North half of the South-west quarter, the North-west quarter of the South-east quarter, and the North-west quarter of the North-east quarter of Section Ten (10), Township 4 South, Range 3 West, Salt Lake Meridian, -

Also Lots Three (3) and Ten (10) and the South-west quarter of the South-west quarter of Section Eleven (11), Township 4 South, Range 3 West, Salt Lake Meridian, -

Excluding from this grant any part of U.S. Lot No. 487 in conflict with said lands. Surface rights for grazing purposes are reserved to grantors, and all mineral rights are hereby conveyed to grantee; provided that Grantee shall have and is hereby given the right and option to take and use so much of the surface at any time, upon payment therefor to grantors, their heirs, administrators, and/or assigns, of the reasonable value of such surface lands for grazing purposes, not to exceed the sum of \$12.00 per acre for the land so taken.

This deed is delivered pursuant to and in execution of that certain agreement of option dated June 30, 1931, between Philip C. Reynolds, first party, and J.C. Jensen, Trustee, second party.

WITNESS THE HANDS of said Grantors this 29 day of July, A.D. 1931.

Thomas S. Butterfield
Martha Butterfield

APPROVED:
Philip C. Reynolds
J. C. Jensen

STATE OF UTAH,

County of Salt Lake } ss.

On the 29 day of July, A.D. 1931, personally appeared before me Thomas S. Butterfield and Martha Butterfield, his wife, the signers of the foregoing instrument, and duly acknowledged to me that they executed the same.

GUY M. SNYDER,
NOTARY PUBLIC
SALT LAKE CITY, STATE OF UTAH.
COMMISSION EXPIRES
NOV. 7, 1931.

Guy M. Snyder
Notary Public,
Salt Lake City, Utah.

SEAT

Recorded at request of H. Van Dorn July 30, 1931 at 12:14 P.M. in Bk. #86 of Deeds. Pg. 376. Recording fee paid, \$1.10. (Signed) Jessie Evans, Recorder, Salt Lake County, Utah by W H Howard, Deputy. (Reference: D-15-248-45)

#860868

DEED

PEARL LYLE NEILSON of Salt Lake County, State of Utah, GRANTOR in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, in hand paid, receipt of which is hereby acknowledged, hereby conveys and warrants unto SALT LAKE CITY, a municipal corporation of the State of Utah, GRANTEE, the following described tract of land in Salt Lake County, Utah, to-wit:

Beginning at a point South 231 feet and West 225.06 feet and South 0°15' West 1683.13 feet from the Northeast corner of the Southeast 1/4 of Section 6, Township 2 South, Range 1 East, Salt Lake Meridian, and running thence West 454.68 feet, thence South 7°8' West 307.5 feet, thence East 491.33 feet, thence North 0°15' East 306.12 feet to the place of beginning.

Together with all water, water rights, including springs and flowing wells appurtenant or belonging to, underlying and contained in said land, or any part thereof, together with all of the right, title and interest she may own or hereafter may acquire in and to all of the artesian, percolating, defined and natural sub-surface waters, including all flowing wells, springs and water filings, appurtenant or belonging to, underlying and contained in any artesian basin underlying in whole or in part, Sections 4, 5, 6, 7, 8, 9, 16, 17 and 18, T. 2 S., R. 1 E., Salt Lake Meridian.

Grantor reserves the right to drive a well for culinary purposes on other property, not conveyed herein, situate in the Southeast quarter of Section 6, T. 2 S., R. 1 E., Salt Lake Meridian. It is understood that as to all other property, not conveyed herein, this conveyance does not include any surface irrigation water.

And said Grantor hereby warrants that she is the owner in fee simple of the last above described premises and has the right to make such grant in manner or form as above.

IN WITNESS WHEREOF, said Grantor has set her hand this 29 day of July A.D. 1931.

Signed in the presence of
W.H. Stout

Pearl Lyle Neilson

State of Utah
County of Salt Lake } ss.

On the 29th day of July 1931, personally appeared before me Pearl Lyle Neilson the signer of the within instrument who duly acknowledged that she signed the same freely and voluntarily

My commission expires
September 23, 1934.

W.H. STOUT,
NOTARY PUBLIC
HOLLIDAY-STATE OF UTAH.
COMMISSION EXPIRES-

W H Stout
Notary Public
Holliday Utah

Recorded at request of S L City Atty City Law Dept July 30, 1931 at 12:18 P.M. in Bk. #86 of Deeds. Pg. 376.
Recording fee paid, No Fee. (Signed) Jessie Evans, Recorder, Salt Lake County, Utah by W H Howard, Deputy.
(Reference: D-31-44-36; D-31-24-11; D-31-37-18; D-31-87-30; D-31-118-52; D-31-76-30; D-31-166-41; D-31-87-31; D-31-173-32; D-31-182-17; D-31-182-22; D-31-107-41) Entered in water index #49944

WARRANTY DEED

W.H. Condry, widower grantor of Salt Lake City, County of Salt Lake, State of Utah, hereby CONVEY AND WARRANT to J.L. Phillips grantor of Salt Lake City, Salt Lake County, State of Utah for the sum of Ten DOLLARS, the following described tract of land in Salt Lake County, State of Utah:
Beginning at 12:33 feet South from the Northeast corner of the Northwest quarter (2) of Section 27, Township